



12/11
#

Approved for use through 09/30/2007. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/526,948
Filing Date	October 28, 2005
First Named Inventor	Peter Frank EKHART
Art Unit	1609
Examiner Name	Layla D. BLAND
Attorney Docket Number	0470-050777

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC

<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
1. PTO/SB/08a-b;
2. One copy of each foreign reference and
non-patent literature; and
3. Check for \$180.00 |
|---|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Webb Law Firm		
Signature			
Printed name	William H. Logsdon		
Date	August 29, 2007	Reg. No.	22,132

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Lisa A. Miller	Date	August 29, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Application No.: 10/526,948
Paper Dated: August 29, 2007
Attorney Docket No.: 0470-050777

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/526,948 Confirmation No. : 7559
Applicants : Peter Frank EKHART et al.
Filed : October 28, 2005
Title : **Branched Alpha-Glucans For Weight Management**
Art Unit : 1609
Examiner Name : Layla D. BLAND
Customer No. : 28289

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants hereby submit this Supplemental Information Disclosure Statement ("IDS") and a completed Forms PTO/SB/08a-b. A legible copy of each reference cited in this Supplemental IDS is provided herein.

09/04/2007 TLWU11 00000015 10526948

01 FC:1806

180.00 0P

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 29, 2007.

Lisa A. Miller

(Name of Person Mailing Paper or Fee)

Signature

08/29/2007

Date

Applicants submit with this Supplemental IDS all complete or partial English language translations in accordance with 37 C.F.R. § 1.98 (a)(3)(ii) that are within the possession, custody or control of, or that are readily available to any individual designated under 37 C.F.R. § 1.56(c). All references identified in Forms PTO/SB/08a-b are in the English language, except for: WO 00/22937, WO 99/55331, WO 01/17377, DE 19942417, EP 0471217, and WO 00/22140. For each reference not in the English language, Applicants submit with this Supplemental IDS all partial English language translations within the possession, custody or control of, or that are readily available to any individual designated under 37 C.F.R. § 1.56(c). Specifically, Applicants submit English language translations of the abstract for the following references: WO 00/22937, WO 99/55331, WO 01/17377, and WO 00/22140. Furthermore, reference DE 19942417 is a German national phase application of WO 01/17377. Since both applications have the same abstract, Applicants respectfully request that the English translation of the WO 01/17377 abstract also be considered as an English translation of the DE 19942417 abstract.

A concise explanation of each non-English reference's relevance in accordance with 37 C.F.R. § 1.98 (a)(3)(i) and MPEP § 609.04(a) is provided in the Applicants' Specification and in the translations of each non-English reference's abstract. Specifically, WO 00/22937 is referenced in the Specification at ¶¶ 9 and 13; WO 99/55331 is referenced in the Specification at ¶ 9; WO 01/17377 and DE 19942417 are referenced in the Specification at ¶ 10; EP 0471217 is referenced in the Specification at ¶ 13; and WO 00/22140 is referenced in the Specification at ¶¶ 13 and 26.

This Supplemental IDS is being submitted together with a fee of \$180.00 pursuant to 37 C.F.R. §§ 1.97 (c) and 1.17 (p) as it is being submitted before the mailing date of a final Office Action or a Notice of Allowance under § 1.311. The Director for the United States Patent and Trademark Office is hereby authorized to charge any fees that may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Supplemental IDS are enclosed.

The Applicants submit that they have complied with the requirements set forth in 37 C.F.R. §§1.56, 1.97 and 1.98, and therefore respectfully request that this Supplemental IDS and the cited references be considered and made of record.

Respectfully submitted,

THE WEBB LAW FIRM

By



William H. Logsdon
Registration No. 22,132
Attorney for Applicants
700 Koppers Building
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219
Telephone: 412-471-8815
Facsimile: 412-471-4094
E-mail: webblaw@webblaw.com



U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 a collection of information unless it contains a valid OMB control number.

Complete if Known

(Use as many sheets as necessary)

Sheet	1	of	4
-------	---	----	---

Application Number	10/526,948
Filing Date	October 28, 2005
First Named Inventor	Peter Frank EKHART
Art Unit	1609
Examiner Name	Layla D. BLAND
Attorney Docket Number	0470-050777

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ^o
		Country Code* Number * Kind Code* (if known)	MM-DD-YYYY			
	1.	WO 93/24113	12-09-1993	MEYER		<input type="checkbox"/>
	2.	WO 95/29676	11-09-1995	KEENAN		<input type="checkbox"/>
	3.	WO 97/31943	09-04-1997	THIM et al.		<input type="checkbox"/>
	4.	WO 98/20895	05-22-1998	KNUDSEN et al.		<input type="checkbox"/>
	5.	WO 99/55331	11-04-1999	DEAN et al.		<input checked="" type="checkbox"/>
	6.	WO 00/22140	04-20-2000	BUTTCHER et al.		<input checked="" type="checkbox"/>

Examiner
Signature

Date Considered

EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes and USPTO Patent Documents at www.uspto.gov for MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is in the public interest (USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggest ways to reduce this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. Do NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

of 4

Complete if Known	
Application Number	10/526,948
Filing Date	October 28, 2005
First Named Inventor	Peter Frank EKHART
Art Unit	1609
Examiner Name	Layla D. BLAND
Attorney Docket Number	0470-050777

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ¹
		Country Code* Number* Kind Code* (if known)	MM-DD-YYYY			
	7.	WO 00/22937	04-27-2000	BALLEVRE et al.		<input checked="" type="checkbox"/>
	8.	WO 01/17377	03-15-2001	BEISEL		<input checked="" type="checkbox"/>
	9.	WO 01/20991	03-29-2001	ZELIGS		<input type="checkbox"/>
	10.	WO 01/30231	03-05-2001	SAREL		<input type="checkbox"/>
	11.	WO 01/90372	11-29-2001	Van Geel SCHUTTEN et al.		<input type="checkbox"/>
	12.	WO 03/008618	01-30-2003	Van Geel SCHUTTEN		<input type="checkbox"/>

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes and USPTO Patent Documents at www.uspto.gov or MPEP 901.01. ³Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. The burden will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

(Use as many sheets as necessary)

of	4
----	---

Application Number	10/526,948
Filing Date	October 28, 2005
First Named Inventor	Peter Frank EKHART
Art Unit	1609
Examiner Name	Layla D. BLAND
Attorney Docket Number	0470-050777

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ^o
		Country Code* Number * Kind Code* (if known)	MM-DD-YYYY			
	13.	DE 199 42 417	03-08-2001	BEISEL		✓
	14.	EP 0 471 217	02-19-1992	WERNER et al.		✓
	15.	GB 2 165 452	04-16-1986	FISHER		

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes and USPTO Patent Documents at www.uspto.gov or MPEP 801.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the design of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. The burden will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 4

of 4

Application Number	10/526,948
Filing Date	October 28, 2005
First Named Inventor	Peter Frank EKHART
Art Unit	1609
Examiner Name	Layla D. BLAND
Attorney Docket Number	0470-050777

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	16.	COLLINS et al., "The Hofmeister Effect and the Behaviour of Water at Interfaces", Qtrly. Rev. of Biophys., 1985, pp. 323-422, Vol. 18(4).	
	17.	VAN GEEL-SCHUTTEN et al., "Biochemical and Structural Characterization of the Glucan and Fructan....", Applied and Environmental Microbiology, 1999, pp. 3008-3014, Vol. 65(7).	
	18.	GILSENAN et al., "Thermally Reversible Acid-Induced Gelation of Low-Methoxy Pectin", Carbohydrate Polymers, 2000, pp. 339-349, Vol. 41.	
	19.	GROSS et al., "Commercial Weight Loss Products and Programs: What Consumers Stand to Gain and Lose", Critical Revs. in Food Science and Nutrition, 2001, pp. 45-70, Vol. 41(1).	

Examiner Signature

Date

Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.